

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO**

CHANDRA TATE, on behalf of herself  
and others similarly situated,

Plaintiff,

v.

EYEMED VISION CARE, LLC,

Defendant.

CASE NO. 1:21-cv-00036-DRC

(Consolidated with Case No. 1:21-cv-55)

**DEFENDANT EYEMED VISION CARE, LLC'S MOTION TO DISMISS  
CONSOLIDATED CLASS ACTION COMPLAINT**

Pursuant to Rules 12(b)(1) and 12(b)(6), EyeMed Vision Care, LLC respectfully moves this Court to dismiss Plaintiffs' Consolidated Class Action Complaint because Plaintiffs do not have standing and fail to state a claim.

Dated: June 7, 2021

Respectfully submitted,

/s/ Carrie Dettmer Slye

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*Attorneys for Defendant EyeMed Vision Care,  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 7, 2021, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Carrie Dettmer Slye

Carrie Dettmer Slye